

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
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Comiskey, et al)	Attorney Reference: 53326.000012
)	
Serial No. unassigned)	Group Art Unit: 1734
)	
Filed: December 17, 2001)	Examiner: J. Lorengo
)	
		Class/sub: 427/256

For: REFLECTED LIGHT GLARE MINIMIZATION FOR ATHLETIC CONTEST

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the initial examination in the above-identified application, please amend the application as follows:

IN THE CLAIMS

Please cancel claims 1-20 without prejudice and substitute the following new claims:

--21. A method of reducing reflected light glare into a human's eyes from the human's cheeks, the method comprising the steps of:

applying underneath the human's eyes, on the human's cheeks, generally covering a location at which incident direct or indirect light is likely to be reflected in the human's eyes, a non-toxic material having a non-reflective colored and finished exterior surface having a wavelength falling outside of the range of wavelengths between 430 nm and 690 nm, and a shape formed within the exterior surface, wherein the shape has a color contrasting to the non-reflective color and is configured to provide communication, and wherein the non-toxic material comprises one of a decal and a temporary tattoo; and

removing the non-reflective material within a week after application of the non-reflective material.

22. The method according to claim 21, wherein the material is a decal comprising a substrate, having top and bottom faces, the top face of the decal comprising the non-reflective material and the bottom face of the decal having a pressure sensitive adhesive thereon; wherein application of the material comprises applying the bottom face of the decal to the reflective cheek portion and pressing so that the adhesive holds the decal in place.

23. The method of claim 21, wherein the non-reflective material has a wavelength falling outside of the range of wavelengths between 430 nm and 690 nm, thereby absorbing a substantial portion of light in the visible spectrum.

24. The method of claim 21, wherein the human is a participant in an athletic contest, and wherein application is performed within a few hours or less before the start of the athletic contest, so that the material substantially eliminates reflection of incident direct or indirect light off the participant's cheeks into the participant's eyes and removal is practiced within a few hours or less after the athletic contest is over.

25. The method of claim 21, wherein the material is a temporary tattoo, provided on a substrate, the temporary tattoo provided on a top face of the substrate, the substrate having a bottom face, wherein application is practiced by cleaning a cheek where the temporary tattoo is to be applied, putting the temporary tattoo on the top face of the substrate on the reflective location of the human's cheek to which it is to be applied, wetting the bottom face of the substrate with water and pressing it into contact with the cheek for sufficient time for the temporary tattoo to adhere to the cheek, and sliding off the substrate from the temporary tattoo.

26. The method of claim 21, wherein application is practiced to provide as the shape a sports apparel or equipment manufacturer's or distributor's logo.

27. The method of claim 21, wherein application is practiced to provide as the shape a sports apparel or equipment manufacturer's or distributor's name.

28. The method of claim 21, wherein application is practiced to provide as the shape a logo, a name, or a mascot of a school or of a team.--


REMARKS

Claims 21-28 are pending in this application. By this Preliminary Amendment, original claims 1-20 have been cancelled and claims 21-28 have been added. Newly added claims 21-28 contain subject matter similar to that of claims 65-72, which were added by amendment to parent application serial No. 09/521,856, and were cancelled in the parent application as a result of a restriction requirement. The parent application has been allowed. Prompt examination on the merits is respectfully requested.

Respectfully submitted,

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